

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
3

4 UNITED STATES OF AMERICA,

No. CR 12-0649 CW

5 Plaintiff,

6 v.

7 DEANDRE SNEAD,

ORDER GRANTING  
CERTIFICATE OF  
APPEALABILITY

8 Defendant.

9 \_\_\_\_\_ /  
10 On August 2, 2016, this Court denied Movant Deandre Snead's  
11 motion to vacate, set aside or correct his sentence pursuant to 28  
12 U.S.C. § 2255. The Court found that Movant's prior conviction for  
13 second-degree robbery, in violation of California Penal Code  
14 section 211, qualified as a crime of violence, as defined by the  
15 Career Offender Guideline, without relying on the residual clause.  
16 The Court denied Movant's request for a certificate of  
17 appealability. On August 5, 2016, Movant filed a notice of  
18 appeal.  
19

20 The Court has reconsidered the reasoning underlying the  
21 denial of the § 2255 motion in this case. See United States v.  
22 Walker, Case No. 12-430. The Court is now of the view that the  
23 certificate of appealability should be granted and hereby grants  
24 it sua sponte.

25 Dated: October 6, 2016



26 CLAUDIA WILKEN  
27 United States District Judge  
28